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16 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

17 JACK DIEP; JORY LEVY; JAMES DAYAP;  
18 MARVIN CUTCHINS; and RAY CHARLIES,  
JR., individually and on behalf of all others  
19 similarly situated,

20 Plaintiffs,

21 v.

22 LIBERTY MEDIA CORPORATION d/b/a  
FORMULA ONE HEINEKEN SILVER LAS  
23 VEGAS GRAND PRIX, a foreign corporation;  
LAS VEGAS GRAND PRIX, INC., a Nevada  
24 corporation,

25 Defendants.

Case No. 2:23-cv-02124-GMN-NJK

**STIPULATION AND**  
**ORDER TO EXTEND THE TIME FOR**  
**DEFENDANT LIBERTY MEDIA**  
**CORPORATION TO RESPOND TO**  
**FIRST AMENDED CONSOLIDATED**  
**CLASS ACTION COMPLAINT**

**(First Request)**

1 Pursuant to Local Rule IA 6-1, 6-2, and LR 7-1, the undersigned counsel of record for  
2 Plaintiffs Jack Diep, Jory Levy, James Dayap, Marvin Cutchins, and Ray Charles, Jr. (collectively,  
3 “Plaintiffs”), Defendant Liberty Media Corporation (“Liberty”), and Defendant Las Vegas Grand  
4 Prix, Inc. (“LVGP”) (collectively, “Defendants”) hereby STIPULATE to extend the time for  
5 Defendants to respond to Plaintiffs’ First Amended Consolidated Class Action Complaint  
6 (“FACCAC”), as explained below.

7 On May 24, 2024, Plaintiffs filed a Consolidated Class Action Complaint in this matter  
8 against Liberty and Las Vegas Paving Corporation. ECF No. 37. On June 7, 2024, Liberty and  
9 Las Vegas Paving Corporation filed motions to dismiss that complaint. ECF. Nos. 38, 39. On  
10 February 19, 2025, this Court issued an order granting Las Vegas Paving’s motion to dismiss and  
11 dismissing Las Vegas Paving as a party to this action; granting in part Liberty’s motion to dismiss;  
12 and giving Plaintiffs 21 days to file an amended complaint amending only their breach of contract  
13 claim. ECF No. 54. On March 12, 2025, Plaintiffs filed the FACCAC. ECF No. 55. The  
14 FACCAC added LVGP as a named defendant and pleads a single cause of action for breach of  
15 contract against Liberty and LVGP. *Id.*

16 Pursuant to Fed. R. Civ. P. 15(a)(3), the current deadline for Liberty to respond to the  
17 FACCAC is March 26, 2025. Pursuant to the summons issued as to LVGP and Fed. R. Civ. P.  
18 12(a), LVGP’s deadline to respond to the FACCAC is 21 days after service is effectuated. *See*  
19 ECF No. 57. Counsel for LVGP and Plaintiffs have met and conferred, and counsel for LVGP has  
20 agreed to accept service on behalf of LVGP as of the date of this filing.

21 Liberty and LVGP anticipate filing motions to dismiss the FACCAC. Counsel for  
22 Plaintiffs, Liberty, and LVGP also agree and stipulate to extend the time for Liberty and LVGP to  
23 respond to the FACCAC to 28 days after the date of this stipulation, or April 15, 2025. Plaintiffs  
24 shall have 14 days after the date Defendants file their anticipated motions to dismiss, or April 29,  
25 2025, to file their oppositions. And Liberty and LVGP shall have 7 days after the date Plaintiffs  
26 file their oppositions, or May 6, 2025, to file their replies. All parties further stipulate that Liberty’s  
27 and LVGP’s answers to the FACCAC, if any, shall be due 14 days after a court ruling on  
28

Defendants' motions. This stipulation provides a modest briefing extension to permit Defendants' counsel to analyze the legal issues presented by the addition of a new named defendant and promotes judicial economy by placing the briefing and argument on both Defendants' motions on the same schedule.

If approved, Liberty and LVGP shall have until April 15, 2025 to respond to the FACCAC. This is both Defendants' first request for an extension of their deadline to respond to the FACCAC. This stipulation is sought in good faith, is not interposed for delay, and is not filed for an improper purpose.

Dated this 18th day of March, 2025.

Respectfully submitted,

**HAGENS BERMAN SOBOL SHAPIRO  
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*Attorneys for Defendants*

IT IS SO ORDERED.  
Dated: March 19, 2025

  
Nancy J. Koppe  
United States Magistrate Judge